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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,836	09/21/2000	Norioki Fujimoto	JCLA6695	1351

7590

07/02/2002

J.C. PATENTS  
4 VENTURE SUITE 250  
IRVINE, CA 92618

EXAMINER

DEXTER, CLARK F

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 07/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/667,836

Applicant(s)  
Fujimoto et al.

Examiner  
Clark F. Dexter

Art Unit  
3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on May 21, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 7-11, and 13 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7-11, and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicant's election without traverse of Group III (claims 1, 2, 7-11 and 13) in the response filed May 21, 2002 (paper no. 9) is acknowledged. Non-elected claims 3-6 and 12 have been canceled by applicant.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

3. The information disclosure statement filed April 20, 2001 (paper no. 6) has been received and the references listed thereon have been considered.

### ***Oath/Declaration***

4. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

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The oath or declaration is defective because:

the priority information is incomplete for the second and third documents.

### *Drawings*

5. The drawings are objected to because of the following informalities:

In Figure 6, numeral 46A appears to be inaccurate, and it seems that it should be changed to --46B-- or the like. ↙

In Figures 20 and 23, numeral 23" appears to be inaccurate, and it seems that it should be changed to --23'-- or the like.

In Figure 24, a separate Figure label should be provided for each separate figure, and it is suggested to simply insert "A", "B" and "C" under each figure.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Specification*

6. The disclosure is objected to because of the following informalities:

On page 7, line 15, it seems that "Fig. 10 shows" should be changed to --Figs. 10A-C show-- should be inserted after "10"; in line 18, it seems that "Fig. 17 shows" should be changed to --Figs. 17A-D show-- or the like; in line 22, "shows" should read --show--.

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On page 8, line 3, the recitation "Figs. 24A and 24B shows" is inaccurate and improper, and it seems that it should be changed to --Figs 24 A-C show-- or the like; in line 16, it seems that "shows" should read --show--; in line 18, --1-- should be inserted after "apparatus" for clarity.

On page 9, lines 15-16, "and oblique downwards" is awkwardly worded and unclear as to what is being described; in line 16, it seems that --second-- should be inserted before "baffle" or the like for clarity; in line 20, "are formed" renders the phrase awkward, and it seems that it should be changed to --form-- or the like.

On page 10, line 12, "23" appears to be inaccurate, and it seems that it should be changed to --31--; in line 15, "with respect to Fig. 4" is vague as to what it refers, and it is suggested to delete "with respect to Fig. 4" and reinsert it in line 14 after "clockwise"; in line 16, "are formed" should read --form--; in line 19, "a fixer" is unclear as to what it refers.

On page 11, line 19, "are formed" should read --form--; in line 20, "rod" is misspelled; in line 2, it seems that "that" should be deleted; in line 23, the phrase "are moved separately" is unclear and confusing, and it seems that it should read --to be moved apart-- or the like.

On page 12, line 2, "that" should be deleted, and "are moved closely" is unclear, and it seems that it should read --to be moved toward each other--; in line 8, "detailed described" is unclear; in line 11, "and fallen on" is unclear.

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On page 13, line 2, "is fallen" should read --falls--; in line 7, a word (e.g., on) is missing after "downwards"; in line 13, --each other-- should be inserted after "towards"; in line 18, "a" should read --an--.

Pages 14-22 contain numerous similar informalities and should be reviewed.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. Claims 1, 2, 7-11 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 1, "tablet conveying device" appears to be inaccurate with respect to what is being set forth in the claim; in line 5, structural cooperation is lacking for "an oblique plate", particularly with respect to the arranging device.

In claim 2, line 4, structural cooperation is lacking for "an arranging device"; in line 6, structural cooperation is lacking for "an oblique plate"; in line 8, structural cooperation is lacking for "a shutter"; in line 9, structural cooperation is lacking for "a retainer device"; in line 11, structural cooperation is lacking for "a conveying device".

In claim 10, line 3, structural cooperation is lacking for "a rotary blade"; in line 4, structural cooperation is lacking for "an arranging device"; in line 6, structural cooperation is

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lacking for “a retainer device”; in line 9, structural cooperation is lacking for “a conveying device”.

In claim 11, line 3, structural cooperation is lacking for “a rotary blade”; in line 4, structural cooperation is lacking for “an arranging device”; in line 6, structural cooperation is lacking for “a modification device”; in line 9, structural cooperation is lacking for “a retainer device”; in line 12, structural cooperation is lacking for “a conveying device”.

In claim 13, line 2, structural cooperation is lacking for “a blade”; in line 3, structural cooperation is lacking for “an arranging device”; in line 5, structural cooperation is lacking for “an oblique plate”; in line 7, structural cooperation is lacking for “a shutter”; in line 9, structural cooperation is lacking for “a retainer device”; in line 12, structural cooperation is lacking for “a conveying device”; in lines 14-15, the recitation “wherein the retainer device is expanded ...” is vague and indefinite since sufficient structure has not been set forth to perform such a function.

#### ***Prior Art***

8. Further consideration of the claimed invention with respect to the prior art will be given upon clarification of the claimed invention.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404. The examiner's typical work schedule is Monday, Tuesday, Thursday and Friday, and he can be reached during normal business hours on these days.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Allan Shoap, can be reached at (703)308-1082.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



**Clark F. Dexter**  
**Primary Examiner**  
**Art Unit 3724**

cfd  
July 1, 2002